



STATE OF WEST VIRGINIA  
OFFICE OF THE ATTORNEY GENERAL  
DARRELL V. MCGRAW, JR.  
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# Press Release

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## FOR IMMEDIATE RELEASE

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### **Attorney General McGraw Assists Beckley Woman Win Race and Gender Discrimination Claim Against WalMart**

A Raleigh County woman and long-time employee of Wal-Mart has prevailed in her race and gender discrimination case against the retail giant with the assistance of the Attorney General's Civil Rights Division. Last week the West Virginia Supreme Court refused Wal-Mart's latest appeal, allowing the previous finding of discrimination to stand as final and bringing an end to the six-year litigation.

Sheila Hall of Beckley filed the claim against Wal-Mart in 2002, after she was demoted from a position of department manager. The claim was filed with the West Virginia Human Rights Commission (HRC). The Attorney General's Civil Rights Division presented the case on behalf of Sheila Hall, and also defended the appeals.

Wal-Mart claimed that Ms. Hall was demoted due to performance problems; however, based on the evidence presented, the Human Rights Commission concluded that Wal-Mart "failed to treat [Hall] in the same manner as its white male department managers." In its Final Order, the Human Rights Commission noted that Hall had a history of high performance evaluations, and that when she was demoted, Wal-Mart "failed to follow its own personnel and disciplinary policies."

The Human Rights Commission also relied upon evidence that the Wal-Mart store manager, who demoted Ms. Hall, expressed to another manager his preference to avoid employing blacks at the store. Wal-Mart subsequently replaced the store manager who was primarily responsible for the discrimination.

Since her demotion, Hall has continued to work for Wal-Mart, though not in a management position. The record shows that she continued to receive positive evaluations.

The HRC ordered Wal-Mart to reinstate Hall to a management position and to pay her \$63,000 for lost pay and other damages.

Before filing with the HRC, Hall complained to the Wal-Mart management. The HRC order concluded that Wal-Mart's internal investigation overlooked many of the important details and circumstances, and "failed to address the racial discrimination charge" or examine her claim that "she has been treated differently from other employees."

Attorney General McGraw applauded the outcome. "We will not abide discrimination in West Virginia," said McGraw. "Corporations which come here to do business must treat their employees fairly."

McGraw said that Sheila Hall "showed courage and persistence in filing and pursuing this discrimination charge, even as she continued to work for Wal-Mart. We were pleased to be able to assist her in fixing this injustice."

For more information, please contact the Attorney General's Civil Rights Division. Call 304-558-0546 or 877-421-5074, write to P.O. Box 1789, Charleston, WV 25326-1789, or visit his website at [www.wvago.gov](http://www.wvago.gov).

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